



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/840,818

04/24/2001

Jin Lu

US 010192

5953

24737 7590 07/16/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

07/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/840,818

Applicant(s)

LU, JIN

Examiner

Michael Van Handel

Art Unit

2623

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 June 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☒ Other: Note the attached Notice of References Cited.



CHRIS KELLEY

SUPERVISORY PATENT EXAMINER

Continuation of 11.

Regarding claims 1 and 13, the applicant argues that Hicks, III et al. does not teach or suggest a removable circuit apparatus that itself comprises wireless connections or an RF transceiver for wirelessly transmitting signals, as required by independent claims 1 and 13. The examiner respectfully disagrees. As noted by the applicant, Hicks III et al. discloses that, within the digital residential entertainment system, the primary broadband data network can be supplemented and extended by the addition of plug-in modules for other lower bandwidth data networking technologies, such as Home Phoneline Networking Alliance (HomePNA) Version 2.0, HomeRF Shared Wireless Access Protocol (Home RF SWAP), IEEE 802.11, Bluetooth, and other similar technologies. HomeRF, IEEE 802.11, and Bluetooth are wireless data technologies. Within the digital residential entertainment system, HomePNA, HomeRF, IEEE 802.11 and Bluetooth can principally be used for transmitting lower bandwidth multimedia content (p. 2, paragraph 18). Fig. 1 clearly illustrates wireless data 97 being transmitted from the plug-in modules to information appliances (Fig. 1). Furthermore, Hicks, III et al. discloses that wireless communication links 97 are generated at least in part by a HomeRF transceiver 142, an IEEE 802.11 transceiver 143, and a Bluetooth transceiver 144 (p. 4, paragraph 42). Fig. 2 clearly illustrates that there are transceivers for the HomeRF, IEEE 802.11, and Bluetooth plug-in modules (Fig. 2). Thus, the examiner maintains that Hicks, III et al. meets the limitation of a removable circuit apparatus that itself comprises wireless connections or an RF transceiver for wirelessly transmitting signals, as currently claimed.

Further regarding claims 1 and 13, the applicant argues that Hicks, III et al. does not teach or suggest a plug-in module that can be inserted into a set-top box (STB). The applicant specifically argues that the plug-in modules of Hicks, III et al. transmit source data to set-top boxes (STBs) and thus is not inserted in a set-top box. The examiner respectfully disagrees. In the Office Action mailed 5/18/2007, the examiner relies on the broadband multimedia gateway (BMG) of Hicks, III et al. as meeting Applicant's claimed digital cable set-top box. Applicant's specification states that a digital cable set-top box is a standards-based device that allows a cable subscriber to receive digital cable television service from a cable provider (Cable Co.) (p. 11, lines 6-9). The third edition of the Microsoft Computer Dictionary defines a set-top box as a device that converts a cable TV signal to an input signal to the TV set (see the definition of "set-top box" in the Microsoft Press Computer Dictionary Third Edition). The BMG of Hicks, III et al. comprises tuners 121 and demodulators 123 coupled to a CATV network 32 (p. 5, paragraph 46 & Figs. 1, 2) and a smart card reader/writer that controls access to pay-per-view services (p. 6, paragraph 53). After receiving a digital multimedia information signal, data switch 101 can send the digital information signal to a television 40 (p. 4, paragraph 42). Therefore, the examiner interprets the BMG to be a digital cable set-top box, as currently claimed. As such, the examiner maintains that Hicks, III et al. meets the limitation of a removable circuit apparatus capable of being inserted into a point of deployment (POD) host interface associated with a digital cable set-top box, as currently claimed.

Regarding claim 22, the applicant argues that Laubach et al. does not teach or suggest that the AIM has wireless communication means, let alone teaching or suggesting wireless connection between a removable module and both a set top box and with the network, as required by independent claim 22. The applicant specifically argues that the AIM does not have any wireless interface and that it is the computer system that has the wireless interface. The examiner respectfully disagrees. As noted in the Office Action mailed 5/18/2007, Laubach et al. discloses a method and apparatus for enhancing the functionalities of a subscriber terminal unit (STU) through the use of different types of application interface modules (AIMs). This is accomplished by incorporating a slot in the STU through which a detachable AIM can be inserted and electrically coupled to the STU (see Abstract). Laubach et al. further discloses that the STUs receive packet data from a headend controller (Fig. 7). This meets the limitation of "coupling the set top box to a network for directly receiving incoming signals from the network," as currently claimed. Fig. 9 shows a physical view of an STU. It is shown in the figure that AIM module 901 can be inserted into and removed from a slot or receptacle 902 (col. 11, l. 63-66 & Fig. 9). Another embodiment includes implementing a wireless (e.g., RF or infrared) interface between the STU and AIM module such that no actual physical contact is needed (col. 12, l. 8-11). The examiner acknowledges the applicant's argument that it is the computer system that has the wireless interface, but respectfully disagrees. In col. 12, l. 4-17, Laubach et al. discloses a list of other embodiments, one of which is the wireless AIM embodiment. The disclosed embodiment involving a computer system is not related to the embodiment involving the wireless interface between the STU and AIM module. Furthermore, as noted in the Office Action mailed 5/18/2007, a wirelessly coupled AIM module would be wirelessly connected to both the STU and the head end, since the STU has a wire connection to the head end. Thus, the examiner maintains that Laubach et al. meets the limitation of a "removable POD module having wireless connections with both the set top box and with the network," as currently claimed.